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DEATH BY WRONGFUL ACT. A Treatise on the Law Peculiar to Actions for Injuries Resulting in Death, Including the Text of the Statutes, and an Analytical Table of Their Provisions. By FRANCIS B. TIFFANY. St. Paul, Minn.: West Publishing Co., 1893.

"The purpose of this book is to treat of those questions of law which are peculiar to the various statutory civil actions maintainable when the death of a person has been caused by the wrongful act or negligence of another." As is well known, at common law no action could be maintained by the representatives of one who had been killed by the negligence of another, the reason being that such negligence was a felony and the private wrong was lost in the public wrong. This was cured in England by "Lord Campbell's Act," passed in 1846. In America, actions for death by wrongful act are all based on statutes practically similar to the English act referred to. The work of Mr. TIFFANY, therefore, is necessarily to a great extent a digest of the several statutes and the decisions under them. The work shows evidence of great care in preparation, the English being much better than is usually the case in works which must almost necessarily be a collation of the opinions of others.

After an introduction on the common law rule, as adopted in England in the case of *Higgins v. Butcher*, Yelverton, 89, and the more important case of *Baker v. Bolton*, 1 Campbell, 493, with a review of the American common law authorities, the author passes in the second chapter to a consideration of the statutes.

Under the title of "When Action Lies," the provisions of the different State statutes are treated in alphabetical order. In Chapter. IV, however, where the author treats of "The Wrongful Act, Neglect or Default" of the defendant, the alphabetical order is abandoned for the very good reason that all the provisions of the different States are practically the same. The last chapters treat of the Beneficiaries, Parties, Statutes of Limitation, Matters of Defense, Damages, Practice and Pleading, Evidence, Jurisdiction of State Courts, etc. The work proper is followed by an appendix containing in full the statutes of the different States. There is also an analytical table showing in a condensed form the leading provisions of the statutes. We agree with the author in thinking that this table will be found of a special value in the newer States and Territories whose statutes have not yet been construed by the courts. Thus, an examination of the table would show a person wishing to arrive at the proper construction of the provisions of the Act in New Mexico, which has received little or no consideration, that the Act is almost identical with the statute of Missouri, which has been fully construed by the Courts of that State. The use of the table in this respect, however, might have been increased by reference under each State to the States whose special provisions were practically the same. The work, as a whole, will be found valuable to any one suing or defending an action for damages for the death of the plaintiff's interstate.

W. D. L.